



General Assembly

January Session, 2019

Raised Bill No. 7210

LCO No. 4358



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING CAMPAIGN CONSULTANTS AND
COORDINATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 9-601 of the general statutes is amended by adding
2 subdivisions (32) and (33) as follows (*Effective from passage*):

3 (NEW) (32) "Consultant" means any person (A) that provides (i)
4 campaign strategy, (ii) design or management of campaign
5 communications, literature or advertising, or (iii) fundraising or
6 management services, or (B) with duties that include identifying,
7 hiring or paying subvenders for goods or services on behalf of a
8 committee or a person required to file a report pursuant to section 9-
9 601d or 9-608, as applicable.

10 (NEW) (33) (A) "Subvendor" means any person that provides goods
11 or services to a consultant or that contracts with a consultant or other
12 subvendor to provide goods or services to a committee or a person
13 required to file a report pursuant to section 9-601d or 9-608, as

14 applicable.

15 (B) "Subvendor" does not include a person who is an employee of a
16 consultant if such person has been an employee of such consultant for
17 three or more consecutive months prior to any month in which a
18 committee or person is required to file a report accounting for any
19 expenditure to such consultant or any subvendor for such consultant.

20 Sec. 2. Section 9-622 of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective from passage*):

22 The following persons shall be guilty of illegal practices and shall be
23 punished in accordance with the provisions of section 9-623:

24 (1) Any person who, directly or indirectly, individually or by
25 another person, gives or offers or promises to any person any money,
26 gift, advantage, preferment, entertainment, aid, emolument or other
27 valuable thing for the purpose of inducing or procuring any person to
28 sign a nominating, primary or referendum petition or to vote or refrain
29 from voting for or against any person or for or against any measure at
30 any election, caucus, convention, primary or referendum;

31 (2) Any person who, directly or indirectly, receives, accepts,
32 requests or solicits from any person, committee, association,
33 organization or corporation, any money, gift, advantage, preferment,
34 aid, emolument or other valuable thing for the purpose of inducing or
35 procuring any person to sign a nominating, primary or referendum
36 petition or to vote or refrain from voting for or against any person or
37 for or against any measure at any such election, caucus, primary or
38 referendum;

39 (3) Any person who, in consideration of any money, gift, advantage,
40 preferment, aid, emolument or other valuable thing paid, received,
41 accepted or promised to the person's advantage or any other person's
42 advantage, votes or refrains from voting for or against any person or
43 for or against any measure at any such election, caucus, primary or
44 referendum;

45 (4) Any person who solicits from any candidate any money, gift,
46 contribution, emolument or other valuable thing for the purpose of
47 using the same for the support, assistance, benefit or expenses of any
48 club, company or organization, or for the purpose of defraying the cost
49 or expenses of any political campaign, primary, referendum or
50 election;

51 (5) Any person who, directly or indirectly, pays, gives, contributes
52 or promises any money or other valuable thing to defray or towards
53 defraying the cost or expenses of any campaign, primary, referendum
54 or election to any person, committee, company, club, organization or
55 association, other than to a treasurer, except that this subdivision shall
56 not apply to any expenses for postage, telegrams, telephoning,
57 stationery, express charges, traveling, meals, lodging or photocopying
58 incurred by any candidate for office or for nomination to office, so far
59 as may be permitted under the provisions of this chapter;

60 (6) Any person who, in order to secure or promote the person's own
61 nomination or election as a candidate, or that of any other person,
62 directly or indirectly, promises to appoint, or promises to secure or
63 assist in securing the appointment, nomination or election of any other
64 person to any public position, or to any position of honor, trust or
65 emolument; but any person may publicly announce the person's own
66 choice or purpose in relation to any appointment, nomination or
67 election in which the person may be called to take part, if the person is
68 nominated for or elected to such office;

69 (7) Any person who, directly or indirectly, individually or through
70 another person, makes a payment or promise of payment to a treasurer
71 in a name other than the person's own, and any treasurer who
72 knowingly receives a payment or promise of payment, or enters or
73 causes the same to be entered in the person's accounts in any other
74 name than that of the person by whom such payment or promise of
75 payment is made;

76 (8) Any person who knowingly and wilfully violates any provision

77 of this chapter;

78 (9) Any person who offers or receives a cash contribution in excess
79 of one hundred dollars to promote the success or defeat of any political
80 party, candidate or referendum question;

81 (10) Any person who solicits, makes or receives a contribution that
82 is otherwise prohibited by any provision of this chapter;

83 (11) Any department head or deputy department head of a state
84 department who solicits a contribution on behalf of, or for the benefit
85 of, any candidate for state, district or municipal office or any political
86 party;

87 (12) Any municipal employee who solicits a contribution on behalf
88 of, or for the benefit of, any candidate for state, district or municipal
89 office, any political committee or any political party, from (A) an
90 individual under the supervision of such employee, or (B) the spouse
91 or a dependent child of such individual;

92 (13) Any person who makes an expenditure, that is not an
93 independent expenditure, for a candidate without the knowledge of
94 such candidate. No candidate shall be civilly or criminally liable with
95 regard to any such expenditure;

96 (14) Any chief of staff of a legislative caucus who solicits a
97 contribution on behalf of or for the benefit of any candidate for state,
98 district or municipal office from an employee of the legislative caucus;

99 (15) Any chief of staff for a state-wide elected official who solicits a
100 contribution on behalf of or for the benefit of any candidate for state,
101 district or municipal office from a member of such official's staff; [or]

102 (16) Any chief of staff for the Governor or Lieutenant Governor who
103 solicits a contribution on behalf of or for the benefit of any candidate
104 for state, district or municipal office from a member of the staff of the
105 Governor or Lieutenant Governor, or from any commissioner or
106 deputy commissioner of any state agency;

107 (17) Any consultant that fails to provide to a committee or person
 108 complete information necessary for such committee or person to file
 109 any disclosure statement or report required under section 9-601d or 9-
 110 608, as applicable;

111 (18) Any consultant that (A) other than for such consultant's
 112 overhead or normal operating expenses, makes or obligates to make an
 113 expenditure, or directly or indirectly authorizes any subvendor to
 114 make or obligate to make such an expenditure, on behalf of a
 115 candidate, committee or other person, and (B) does so without the
 116 knowledge of such candidate, committee or other person; or

117 (19) Any person that structures or assists in structuring, or attempts
 118 to structure or assist in structuring, any solicitation, contribution,
 119 expenditure, disbursement or other transaction for the purpose of
 120 evading the requirements of chapters 155 to 157, inclusive.

121 Sec. 3. (NEW) (*Effective from passage*) (a) (1) A consultant that
 122 receives or agrees to receive two thousand five hundred dollars or
 123 more, in the aggregate, and that makes or obligates to make any
 124 expenditure, including any payment to a subvendor, on behalf of a
 125 person or committee required to file a report under section 9-601d or 9-
 126 608 of the general statutes, as applicable, shall, once such consultant
 127 has made or obligated to make any such expenditure in excess of five
 128 hundred dollars, in the aggregate, in a calendar year to a subvendor,
 129 provide to such person or committee a statement with a detailed
 130 account of such expenditure, including, but not limited to, (A) the
 131 amount and date of such expenditure and the person who received
 132 such payment, (B) the full name and street address of such subvendor,
 133 (C) the purpose of such payment and a description of such purpose,
 134 (D) the name of any candidate or referendum question supported or
 135 opposed by such expenditure, and (E) if applicable, the date of any
 136 event with which such payment is associated, including, but not
 137 limited to, any expenditure directly or indirectly made by a consultant
 138 to a subvendor for any (i) written, typed or other printed
 139 communication, or any web-based, written communication, that (I)

140 promotes the success or defeat of any candidate's campaign for
141 nomination or election or any referendum question, or (II) solicits
142 funds to benefit any candidate or committee, (ii) advertising time or
143 space, including, but not limited to, television or Internet video, radio
144 or Internet audio, telephone call or web-based or social media
145 communication, (iii) wages incurred as a result of work for any
146 candidate or committee, (iv) survey, poll, signature gathering or door-
147 to-door solicitation of voters, (v) facilities, invitations or entertainment
148 for fundraising or other campaign events, or (vi) printing of mass
149 campaign mailings or postage therefor. Such consultant shall provide
150 the information described in this subdivision to such person or
151 committee not later than five days after making or obligating to make
152 such expenditure. As used in this section, "consultant", "expenditure",
153 "subvendor", "committee" and "person" have the same meanings as
154 provided in section 9-601 of the general statutes, as amended by this
155 act.

156 (2) Notwithstanding the provisions of subdivision (1) of this
157 subsection, if a consultant makes or obligates to make payment for an
158 expenditure for which a person or committee is required to file a
159 report pursuant to section 9-601d or 9-608 of the general statutes, as
160 applicable, such consultant shall, concomitant with making or
161 obligating to make such payment, provide to such person or
162 committee complete information necessary to file such report.

163 (b) (1) Any person or any committee that makes or obligates to
164 make payment for an expenditure to a consultant, which consultant is
165 required to provide to such person or committee the information
166 described in subsection (a) of this section, shall include in any
167 statement or report required under section 9-601d or 9-608 of the
168 general statutes, as applicable, (A) the full name and street address of
169 each subvendor to which payment of five hundred dollars or more, in
170 the aggregate, was made or obligated to be made during the period
171 covered by such filing, (B) the amount and date of payment, (C) the
172 purpose of such payment and a description of such purpose, (D) the
173 name of any candidate or referendum question supported or opposed

174 by such expenditure, and (E) if applicable, the date of any event with
175 which such payment is associated. The contents of such statement or
176 report shall include any other information that the State Elections
177 Enforcement Commission may require to facilitate compliance with
178 the provisions of chapters 155 to 157, inclusive, of the general statutes,
179 and shall be submitted on a form prescribed by the commission.

180 (2) Except for such consultant's overhead or normal operating
181 expenses, a consultant shall not make any expenditure of five hundred
182 dollars or more, in the aggregate, to or for the benefit of a candidate or
183 committee, including, but not limited to, any expenditure described in
184 subdivision (1) of subsection (a) of this section, unless complete
185 information of such expenditure is provided to the person required to
186 file a report under section 9-601d or 9-608 of the general statutes, as
187 applicable, or the committee on whose behalf or for whose benefit such
188 consultant is acting.

189 (c) Each consultant shall keep a detailed account of each
190 expenditure made or obligated to be made on behalf of any person or
191 committee required to file a report under section 9-601d or 9-608 of the
192 general statutes, as applicable and shall retain all records of each
193 transaction required to be included in any statement or report under
194 section 9-601d or 9-608 of the general statutes, as applicable, for a
195 period of four years after the date of the statement or report in which
196 such transaction was included. Such records shall include, but need
197 not be limited to, any invoice, receipt, bill, statement, itinerary or other
198 written or documentary evidence demonstrating the campaign, or
199 other lawful purpose of such expenditure.

200 (d) If a subvendor makes or obligates to make any payment
201 described in subsection (a) of this section, such subvendor shall be
202 deemed a consultant and shall, pursuant to this section, comply with
203 the requirements for a consultant.

204 (e) Notwithstanding the provisions of subsections (a) to (d),
205 inclusive, of this section, a financial obligation shall not be made or

206 incurred by or on behalf of a committee unless authorized by the
207 treasurer of such committee pursuant to section 9-607 of the general
208 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-601
Sec. 2	<i>from passage</i>	9-622
Sec. 3	<i>from passage</i>	New section

Section 1	<i>from passage</i>	9-601
Sec. 2	<i>from passage</i>	9-622
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To increase transparency with respect to moneys paid to campaign consultants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]